

HISTORIC PRESERVATION COMMISSION
Minutes

June 10, 2004
Salisbury, North Carolina

The Historic Preservation Commission for the city of Salisbury met in regular session on Thursday, June 10, 2004, in the Council Chambers at the City Hall, 217 S. Main St.

The meeting was called to order by the Chairman, Charles Paul. In addition to Mr. Paul, the following members were present: Ronald Fleming, Anne Lyles, Jeff Sowers, Kathy Walters, and Wayne Whitman

Absent: Mike Fuller, Clara B. Jones, and Michael Young

Swearing-in of new members

Anne Lyles was sworn in as a member of the Commission by Charles Paul. She was welcomed by commission members, and seated.

New Business

H-40-04 **230 S. Lee St.** – Agnes Nassar Graver, owner – Certificate of Appropriateness for demolition of dilapidated outbuilding, and replace with a new manufactured building – pictures will be presented at the meeting

Ms. Graver was sworn to give testimony for the request. Staff presented slides.

Ms. Graver informed the Commission that the existing shed located in the rear of her property and used for lawn equipment is very old and dilapidated and needs to be removed. She requested permission to replace it with a new manufactured building which would be located in the same space as the existing shed. Pictures were shown of the proposed building, which will be painted to match the house.

David Phillips informed the Commission that Jeff Benfield, Public Services' Code Enforcement Officer has ruled that the shed is not salvageable and should be removed from the property. He further stated that the new building would need to be 5 ft. from the rear property line, and 15 ft. from the street side.

Clyde Overcash was sworn to speak with concerns of the request. He began by informing the Commission that he did not receive notification of the meeting although he is an adjoining property owner. Mrs. Jordan regretfully stated that it was an error on her part, which would be corrected.

Mr. Overcash shared his concern of the setback requirement and the existing trees which now buffer the building. He stated that the trees look nice as they are and he is worried that the city would come remove all of them. Mr. Phillips stated that none of the trees should be disturbed in tearing down the building. He said that he did not know what contractor Public Services would use to demolish the building, but he would make them aware that the hedge and trees should not be removed, and such would be reflected in the minutes.

Mr. Paul further informed Mr. Overcash that there was nothing in the request which would approve the removal of trees. However, Mr. Overcash said that just recently some trees have already been cut in the next block without permission, and 25 ft. from the right-of-way back of Ms. Graver's property has been cut.

In response to Mr. Overcash's concern of the new building being placed using the current setbacks, Mr. Phillips stated that he would spot the building on the lot for Ms. Graver.

There being no other questions or comments, Ronald Fleming made the following motion: "I move that the Commission find the following facts concerning application #H-40-04: that Agnes Nassar Graver, owner of 230 S. Lee St., appeared before the Commission and sought a Certificate of Appropriateness to demolish a dilapidated outbuilding, replacing it with a new manufactured building – that Clyde Overcash appeared before the Commission to voice his concerns but not to support or oppose; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 5 – Demolition or Relocation of Buildings – Demolition, pages 66-67. guidelines 1 and 2, and Chapter 2 – Changes to Buildings – Garages and Outbuildings, pages 22-23, guidelines 1 and 6-9 of the Residential Historic District Design Guidelines; there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for application #H-40-04 be granted to Agnes Nassar Graver, owner of 230 S. Lee St., to make the changes detailed in the application."

Wayne Whitman seconded the motion; all members present voted AYE.

H-41-04 121 S. Lee St. – 119 S. Lee St. – 117 S. Lee St. – 210 E. Fisher St. –
Stanley Berkshire, Francis T. Krider, Emmett G. Thompson, owners – Certificate of Appropriateness for new construction on vacant lot (see attached drawings)

Max Spear, prospective owner, was sworn to give testimony for the request. Staff showed slides.

Mr. Spear testified that on the ground floor of the building, there would be 7 commercial condominiums, and 14 residential units on the top floor. An elevator, surrounded by brick, will be located on the rear exterior of the building that will go up to the top floor. From the slide, he showed the location for 28 parking spaces in the rear of the building. Dumpsters, he stated, would be located in the rear yard, and screened with a brick wall with pressure treated wooden gates.

Mr. Spear referred the Commission to the submitted landscape plan to show the location for a 6-ft. high brick wall that will come up between the firehouse and the back of an adjoining property, as well a 10-ft. high brick wall.

He further stated that because there would be a lot of emphasis placed on security, gates will be located at the driveway with use of a key entrance.

An L-shaped, hardscaped court-yard will be placed in the center, with a fountain, where there could be outdoor dining. Courtyards would be placed between each of the buildings, and an area for outdoor dining also provided on the top level. Picnic facilities would be located on the grounds as well.

Mr. Spear stated that entrances will be located at Lee St. where there would be gates with brick posts with aluminum fenced in between.

The exterior of the building, he testified, will be brick, probably old Columbia from Boral. The storefront will be aluminum and glass with split-faced block at the bottom, which has the look of granite. The awnings will be metal; however, the color is yet to be determined. He informed the Commission that they would like to use White vinyl windows on the upper level with metal rails on the balcony. As most commercial buildings, Mr. Spear said, the sloped roof would not be seen, but will be covered.

In response to a question from Jeff Sowers, Mr. Phillips stated that the project is parking exempt so they would not be required to meet the minimum parking standards.

Ron Fleming asked if the proposed fencing and gate between the existing firehouse and proposed building would connect both buildings together. Mr. Spear stated that it would not but was more so a security issue.

Mr. Spear explained that the vinyl windows are being requested for low maintenance. He stated that it is their desire to have no painting upkeep except the front doors on the condo units and the rest to be of brick or some other pre-finished material.

Mr. Spear was informed that samples of all materials to be used for the project should be presented before approval can be made. Charles Paul stated that what had been presented could be approved but Mr. Spear would need to come back with materials and details. Mr. Spear said that that would not be a problem, and he could come back in July.

There was no one present to speak in support or opposition to the request.

Kathy Walters made the following motion: "I move that the Commission find the following facts concerning application #H-41-04, that Max Spear, prospective owner of 117 119, and 121, and 210 E. Fisher St. appeared before the Commission and sought a Certificate of Appropriateness to construct a new building on the vacant lots; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 3

New Construction, pages 46-49 – Building Setbacks and Orientation on Lot, guidelines 1-5, Size and Style, guideline 6-10, and Materials and Design Elements and Rhythm, guidelines 11-16, of the Non-Residential Historic District Design Guidelines; mitigating factors include the fact that some of the finished detail decisions have not yet been made and samples have not been furnished; therefore, I further move that a Certificate of Appropriateness for Application H-41-04 be granted to Max Spear, prospective owner of 117, 119, and 121 S. Lee St., and 210 E. Fisher St. to begin the project detailed in the application with the following change agreed to by the applicant: the applicant and architect will return to the Historic Preservation Commission for approval of finished materials prepared with elevations of fencing and gates, and samples of the materials to be used.”

Ronald Fleming seconded the motion; all members present voted AYE.

Charles Paul complimented Mr. Spear on a “very handsome project” and stated, “I think it will be a tremendous improvement to that corner.” Kathy Walters added, “I think it will be successful.”

H-42-04 **404 W. Kerr St.** – Stephen C. Etters, owner – Certificate of Appropriateness to install a swimming pool in rear yard – design to be presented at the meeting

Stephen & Kim Etters were sworn to give testimony for the request. Staff showed slides.

Mr. Etters testified that they propose to put a pool in the rear yard behind the house on the opposite side of an existing fence. An additional same style picket fence will be installed down the driveway in order to completely enclose the pool. Mrs. Etters informed the Commission that there is also a brick fence in place on both sides of the house. There will be no other structures built.

There was no one present to speak in support or opposition to the request.

Jeff Sowers made the following motion: “I move that the Commission find the following facts concerning Application #H-42-04 – that Stephen & Kim Etters, owner of 404 W. Kerr St., appeared before the Commission and sought a Certificate of Appropriateness to install a swimming pool in the rear yard; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and district Setting – Landscaping, pages 60-61, guidelines 1,2,9, and 10 of the Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-42-04 be granted to Stephen and Kim Etters, owner of 404 W. Kerr St., to make the changes detailed in the application.”

Wayne Whitman seconded the motion; all members present voted AYE.

Committee Reports

Changes to Guidelines

Janet Gapen reported that the committee met to review additional changes to the guidelines; however, they will be presented at the July meeting. She stated that the committee will meet again to discuss some additional, more specific guidelines for signage, which may also be presented at the next meeting.

Application #H-27-04

Ms. Gapen informed the Commission that she, along with David Phillips, met with the artist, Earl Kluttz Thompson, to look at Leo Wallace's building at 318 E. Council St. regarding his request to paint over the faded Coco Cola sign and others on the building. Ms. Thompson feels that all the signs, which is a mishmash of old ghost signs, hold potential for restoration. She feels that it would be very difficult to paint over part and leave the other part without it looking really unattractive. Ms. Thompson suggested that the lot around the building be cleaned up, windows be repaired, and the crumbled masonry on the building be repaired, which would do a lot to spruce up the building.

Ms. Gapen stated that Ms. Thompson gave her an estimate for the cost of restoration and will also provide a letter should it be needed. In response to Ms. Lyle's question as to whether Mr. Wallace plans to go along with Ms. Thompson's suggestion of cleaning up, Ms. Gapen said that Mr. Wallace is planning to repair the masonry. Mr. Phillips said he would contact Mr. Wallace to further discuss his plans.

Charles Paul said that the request would remain on the table until Mr. Wallace decides what he wants to do.

Architectural Survey Ms. Gapen informed the Commission that the State Preservation Office now has the architectural survey materials in hand from the 2001 architectural survey. The survey covered all parts of the city within the 1953 city boundaries excluding what is already in the district in order to determine which properties could be eligible for National Register District nominations. She said that their next step now is to come here to Salisbury to view the properties.

In response to a question from Charles Paul concerning the procedure for making changes to the current boundaries of the districts, Ms. Gapen said the 1st step would be to complete study list applications, which can be done by the Commission. The next step would be to prioritize the areas, and then the State comes here to look at all the areas and make recommendations.

Mr. Paul voiced his concern about the number of restaurants coming into the Town Creek area which is backing up further and further next to the Kesler Manufacturing National Register District.

Ms. Gapen said that she would get copies of the summary of architectural surveys to each member so that they might readily have the informational details of each area.

Rezoning Ms. Gapen informed the Commission that there is a planning board committee looking at rezoning parts of the downtown to expand the B-5 (Central Business District) zoning, which will come to the Planning Board in the 1st in July. They have also studied various signs and uses that could become non-conforming in the areas that might be rezoned.

Special Use Permit David Phillips informed the Commission that special-use permit for 1131 N. Main St. is still being reviewed by a planning board committee. He said the Commission would be notified when it goes to the City Council meeting in case any members would want to attend since it is in the North Main Historic District.

Mr. Phillips also informed the Commission there may be some other details changed in the Police Department project.

Ms. Gapen announced that the Historic Salisbury Foundation's annual meeting will be held on June 15th, 7-9 p.m. The speaker will be from Old Salem, Inc.

In response to a question from Charles Paul, Ms. Gapen stated that there would be another meeting regarding the Freedman Cemetery. She said the Freedman Cemetery Committee met again with the designers, who are in negotiation with the State Office. It seems that the State Office may not have looked at the project as thoroughly as they should have in consideration of all the facts. They will be talking more about the history of the site.

Minutes

The minutes from the May meeting were approved as submitted upon a motion from Kathy Walters, seconded by Ronald Fleming.

Adjournment

There being no other business to come before the Commission, the meeting was adjourned.

Charles Paul, Chairman

Judy Jordan, Secretary